

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY  
Caption in Compliance with D.N.J. LBR 9004-1(b)

Denise Carlon, Esquire  
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Attorneys for Secured Creditor  
The Bank of New York Mellon as Trustee for CWABS,  
Inc. Asset-Backed Certificates, Series 2006-11

In Re:  
Darryl B. Monticello,  
  
Debtor.



Order Filed on October 12, 2018  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

Case No.: 16-25565 KCF

Adv. No.:

Hearing Date: 8/22/18 @ 9:00 a.m..

Judge: Katherine C. Ferguson

**ORDER CURING POST-PETITION ARREARS & RESOLVING MOTION FOR  
RELIEF FROM STAY**

The relief set forth on the following pages, numbered two (2) through two (2) is hereby  
**ORDERED.**

**DATED: October 12, 2018**

A handwritten signature in black ink, appearing to read "Katherine C. Ferguson".  
Honorable Kathryn C. Ferguson  
United States Bankruptcy Judge

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Debtor: Darryl B. Monticello

Case No: 16-25565 KCF

Caption of Order: ORDER CURING POST-PETITION ARREARS AND RESOLVING MOTION FOR RELIEF FROM STAY

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This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, The Bank of New York Mellon as Trustee for CWABS, Inc. Asset-Backed Certificates, Series 2006-11, Denise Carlon appearing, upon a motion to vacate the automatic stay as to real property located at 419 Arbutus Drive, Point Pleasant Beach, NJ, 08742, and it appearing that notice of said motion was properly served upon all parties concerned, and this Court having considered the representations of attorneys for Secured Creditor and Marc C. Capone, Esquire, attorney for Debtors, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** that as of September 17, 2018 Debtors are in arrears outside of the Chapter 13 Plan to Secured Creditor for payments due March 2018 through September 2018 for a total post-petition default of \$25,527.26 (2 @ \$3,729.00, 5 @ 3,721.63, less suspense \$538.89); and

It is **ORDERED, ADJUDGED and DECREED** that Debtor shall make an immediate payment of \$7,443.26 to be received no later than August 31, 2018; and

It is **ORDERED, ADJUDGED and DECREED** that Debtor shall make an immediate payment of \$11,164.89 to be received no later than September 15, 2018; and

It is further **ORDERED, ADJUDGED and DECREED** that the balance of the arrears in the amount of \$6,919.11 shall be added to the affidavit of amount due and paid through Debtors' Chapter 13 plan; and

It is further **ORDERED, ADJUDGED and DECREED** that regular mortgage payments are to resume October 1, 2018, directly to Secured Creditor's servicer, Select Portfolio Servicing, Inc. PO Box 65450, Salt Lake City, UT 84165 (Note: the amount of the monthly mortgage payment is subject to change according to the terms of the note and mortgage); and

It is further **ORDERED, ADJUDGED and DECREED** that for the Duration of Debtors' Chapter 13 bankruptcy proceeding, if any of the cure payments or regular monthly mortgage payments are not made within thirty (30) days of the date said payment is due, Secured Creditor may obtain an Order Vacating Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating such payment is more than thirty days late, and Debtors shall have fourteen days to respond; and

It is further **ORDERED, ADJUDGED and DECREED** that a copy of any such application, supporting certification, and proposed Order must be served on the Trustee, Debtors, and Debtors' counsel at the time of submission to the Court and Secured Creditor's Motion for Relief is hereby resolved.

In re:  
Darryl B. Monticello  
Debtor

Case No. 16-25565-KCF  
Chapter 13

### CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin  
Form ID: pdf903

Page 1 of 1  
Total Noticed: 1

Date Rcvd: Oct 12, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 14, 2018.

db Darryl B. Monticello, 419 Arbutus Dr, Point Pleasant Beach, NJ 08742-3102

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE.

TOTAL: 0

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Oct 14, 2018

Signature: /s/Joseph Speetjens

### CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 12, 2018 at the address(es) listed below:

Albert Russo docs@russotrustee.com

Denise E. Carlon on behalf of Creditor The Bank of New York Mellon as Trustee for CWABS, Inc. Asset-Backed Certificates, Series 2006-11 dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com

Denise E. Carlon on behalf of Creditor THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, SOLELY AS TRUSTEE HEREUNDER AND NOT IN ITS INDIVIDUAL CAPACITY FOR THE BENEFIT OF THE CERTIFICATEHOLDERS OF THE CWABS INC., ASSET-BACKED CERTIFICAT dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com

John R. Morton, Jr. on behalf of Creditor Ally Capital ecfmil@mortoncraig.com, mortoncraigecef@gmail.com

John R. Morton, Jr. on behalf of Creditor Ally Financial ecfmil@mortoncraig.com, mortoncraigecef@gmail.com

John R. Morton, Jr. on behalf of Creditor Ally Servicing LLC ecfmil@mortoncraig.com, mortoncraigecef@gmail.com

Marc C. Capone on behalf of Debtor Darryl B. Monticello mcapone@caponeandkeefe.com, docs@caponeandkeefe.com

Rebecca Ann Solarz on behalf of Creditor The Bank of New York Mellon as Trustee for CWABS, Inc. Asset-Backed Certificates, Series 2006-11 rsolarz@kmlawgroup.com

Rebecca Ann Solarz on behalf of Creditor THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, SOLELY AS TRUSTEE HEREUNDER AND NOT IN ITS INDIVIDUAL CAPACITY FOR THE BENEFIT OF THE CERTIFICATEHOLDERS OF THE CWABS INC., ASSET-BACKED CERTIFICAT rsolarz@kmlawgroup.com

TOTAL: 9